

REMARKS

The application includes claims 1-19, 21-29, 31, 33-66, 68, and 70-74 prior to entering this amendment.

The examiner allows claims 9, 21-29, 33-37, 46, 64, and 70-74.

The examiner finds claims 6, 17-19, 43, and 54-56 allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The examiner rejects claims 12-14, 31, 49-51, and 68 under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement.

The examiner rejects claims 1-5, 10-11, 15, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Allain et al. (U.S. Patent 6,449,259) in view of Osman et al. (U.S. 6,791,971).

The examiner rejects claim 7-8 under 35 U.S.C. § 103(a) as being unpatentable over Allain in view of Osman and Dalrymple et al. (U.S. 6,826,272).

The examiner rejects claims 38-42, 47-48, and 52-53 under 35 U.S.C. § 103(a) as being unpatentable over Allain in view of Osman, and Auerbach et al. (*Signaling Backhaul Protocol*, 25 February 1999, IETF Internal Draft).

The examiner rejects claims 44-45 under 35 U.S.C. § 103(a) as being unpatentable over Allain in view of Osman, Auerbach, and Dalrymple.

The examiner rejects claims 57-63 and 65-66 under 35 U.S.C. § 103(a) as being unpatentable over Allain in view of Auerbach.

The applicants do not amend any claim. The application remains with claims 1-19, 21-29, 31, 33-66, 68, and 70-74 after entering this amendment.

The applicants add no new matter and request reconsideration.

Allowable Subject Matter

The applicants thank examiner Nguyen for allowing claims 9, 21-29, 33-37, 46, 64, and 70-74 and indicating allowable claims 6, 17-19, 43, and 54-56. The applicants do not rewrite the allowable claims in independent form because they believe the associated independent and intervening claims are also allowable. If the examiner finds otherwise in spite of the arguments presented below, the applicants will rewrite the claims in independent form.

Declaration to overcome cited publication under 37 C.F.R. § 1.131

The applicants wish to "swear behind" the Osman and the Auerbach reference. Osman claims priority from provisional application 60/123,731, filed on March 10, 1999, which is the effective filing date of the reference. Auerbach has a publication date of February 25, 1999.

Although the March 10, 1999 effective filing date of Osman and the February 25 1999 publication date of Auerbach predates the effective filing date of the present application (present application filed September 30, 1999), the applicants conceived of the invention prior to February 25, 1999 (the earlier of the filing date of Osman and the publication date of Auerbach) and then were diligent in reducing the concept to practice up until the time the patent application was filed on September 30, 1999. Attached is a Section 131 Declaration signed by one of the inventors of the present application that attests to prior conception of the present invention as well as an invention disclosure form submitted internally within Cisco before February 25, 1999.

Claim Rejections Under § 112

The examiner rejects claims 12-14, 31, 49-51, and 68 as failing to comply with the enablement requirement.

The examiner alleges that support for certain limitation recited in independent claim 12 cannot be found in the original specification. The limitation in question recites "*multiplexing, at the primary media gateway controller, outbound signaling content destined for the packet-switched call signaling connections terminated by the signaling gateway...*" Independent claims 31, 49, and 68 include similar limitations. Support for the limitation can be found in several places in the specification, e.g., page 6, lines 17-19, which states that "(P)referably, the controller also multiplexes outbound signaling content destined for the packet-switched call signaling connections onto a single session for communication back to the signaling proxy."¹ Thus, the rejection to claims 12, 31, 49, and 68 and associated dependent claims are obviated. The examiner does not provide any other reason for rejecting these claims and hence, claims 12-14, 31, 49-51, and 68 are now allowable.

¹ Specification, page 6, lines 17-19.
AMENDMENT

Claim Rejections Under § 103

The examiner rejects claims 1-5, 10-11, 15 and 16 as being obvious over Allain in view of Osman. As stated above, the applicants swear behind the Osman reference. However, regardless of Osman not being prior art, the applicants traverse the rejection for the following reasons.

Claim 1 recites *terminating a plurality of call signaling connections, each corresponding to one of a plurality of packet-switched calls, at a packet-switched signaling gateway*. Claims 12, 38, and 49 include similar limitations. The examiner alleges that Allain's gateway 204 of figure 2 discloses the recited packet-switched signaling gateway. Allain discloses the following about the gateway 204:

"FIG. 2 shows a communication controller 202 interfaced to a gateway 204 by way of controller ports 206, 216, 218 and 220... Information signals appearing at the gateway ports (208, 210, 212 and 214) are processed by gateway 204 and are then transferred to communication controller 202 via the controller ports (206, 216, 218, and 220) for proper routing. Communication controller 202 performs the routing and places the information signals at their proper ports to be transferred to gateway ports (208, 210, 212 and 214) by gateway 204...

... The information signals arriving at gateway port 208 are first processed by gateway 204 and then transferred to controller port 206. Communication controller 202 then routes the signals to controller port 216 which are then transferred to gateway port 210 by gateway 204."²

Allain's gateway 204, thus, processes signals and transfers signals to gateway ports 208, 210, 212 and 214 (or to controller ports 206, 216, 218, and 220). Allain, however, does not disclose the gateway 204 *terminating* a plurality of call signaling connections, as would be required by claims 1, 12, 38, and 49.

Claim 1 further recites *communicating, over a number of sessions smaller than the plurality of call signaling connections, the signaling content of the call signaling connections from the signaling gateway to a primary media gateway controller*. Claims 12, 38, and 49 include similar limitations. As discussed before, the examiner alleges that Allain's gateway 204 discloses the recited signaling gateway and Allain's communication controller 202 discloses the recited primary media gateway controller. Although Allain discloses the gateway 204 communicating with the communication controller 202, Allain does not specifically disclose that communication occurs *over a number of sessions smaller than the plurality of call signaling connections*, as would be required by claims 1, 12, 38, and 49.

Claim 1 additionally recites *routing a plurality of packet-switched bearer streams, each corresponding to one of the packet-switched calls, to a media endpoint controlled by the primary*

² Allain, column 11, lines 25-48, underline added.

media gateway controller. Claims 12, 38, and 49 include similar limitations. The examiner acknowledges that Allain does not disclose the recited limitation, but alleges that Osman does so. The applicants, however, “swear behind” Osman, which prohibits using it as a reference.

For at least these reasons, claims 1, 12, 38, and 49 are allowable, along with their associated dependent claims.

The examiner rejects claims 57-63 and 65-66 as being obvious over Allain in view of Auerbach. As stated above, the applicants swear behind the Auerbach reference. However, regardless of Auerbach not being prior art, the applicants traverse the rejection for the following reasons.

Claim 57 recites *terminating a plurality of call signaling connections, each corresponding to one of a plurality of packet-switched calls, where each call signaling connection is packet-switched*. Claim 1 included similar limitations, and discussed above, the applicants believe that Allain does not disclose this limitation.

Claim 57 additionally recites *multiplexing signaling content received over the plurality of call signaling connections onto a smaller number of packet-switched sessions for transmission over an H.323 backhaul channel to a media gateway controller*. As discussed before, the examiner alleges that Allain’s gateway 204 discloses the recited signaling gateway and Allain’s communication controller 202 discloses the recited media gateway controller. Although Allain discloses the gateway 204 communicating with the communication controller 202, Allain does not remotely disclose multiplexing signaling content onto a smaller number of packet-switched sessions for transmission to the communication controller 202, as would be required by claim 57.

Claim 57, moreover, explicitly recites a H.323 backhaul channel. The examiner acknowledges that Allain does not disclose a media backhaul channel, but alleges that Auerbach does so. The applicants, however, swear behind the Auerbach reference, which prohibits using Auerbach as a reference.

For at least these reasons, claim 57 is allowable, along with its associated dependent claims.

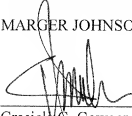
Conclusion

The applicants request reconsideration and expeditious issuance of all remaining claims. The applicants encourage the examiner to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

A handwritten signature in black ink, appearing to read 'Graciela G. Cowger', is written over a horizontal line.

Graciela G. Cowger
Reg. No. 42,444

MARGER JOHNSON & McCOLLOM, P.C.
210 SW Morrison Street, Suite 400
Portland, OR 97204
503-222-3613